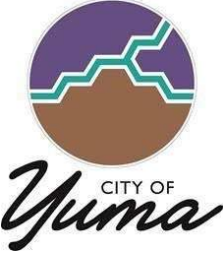


Notice of Public Hearing of the Planning & Zoning Commission of the City of Yuma

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Planning & Zoning Commission of the City of Yuma and to the general public that the Planning & Zoning Commission will hold a hearing open to the public on January 11, 2021, at 4:30 p.m. at the City Hall Council Chambers, One City Plaza, Yuma, AZ.

	<p style="text-align: center;">Agenda Planning and Zoning Commission Meeting City Hall Council Chambers One City Plaza Yuma, AZ Monday, January 11, 2021, 4:30 p.m.</p>
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COVID 19 ADVISORY

DUE TO COVID-19 THE CITY HALL COUNCIL CHAMBERS WILL HAVE LIMITED PUBLIC ACCESS.

Consistent with the March 13, 2020 Arizona Attorney General informal opinion Relating to Arizona's Open Meeting Law and COVID-19, in order to protect the public and reduce the chance of COVID-19 transmission, the meeting of the City of Yuma Planning and Zoning Commission will be conducted remotely through technological means along with limited public, in-person access, consistent with CDC social distancing guidelines.

Due to the very limited capacity available for in-person public access to the Planning and Zoning Commission Meeting, citizens wishing to make public comment regarding any item listed on the agenda are strongly encouraged to provide their comments in written format to email address planning@yumaaz.gov no later than 4:00 p.m. on January 11, 2021. Comments received timely will be entered into the permanent record of the referenced agenda item to be considered by the Planning and Zoning Commission.

**ADHERENCE TO CDC SOCIAL DISTANCING GUIDELINES ARE REQUIRED IN ALL PUBLIC BUILDINGS.
THE USE OF FACE COVERINGS ARE REQUIRED IN PUBLIC BUILDINGS WHEN CDC SOCIAL
DISTANCING GUIDELINES CANNOT BE ACHIEVED.**

A. CALL TO ORDER

- B. CONSENT CALENDAR – All items listed under the consent calendar will be approved by one motion. There will be no separate discussion of these items unless the Commission or a member of the audience wishes to speak about an item.

B.1 APPROVAL OF MINUTES

December 14, 2020

B.2 WITHDRAWALS BY APPLICANT – NONE

B.3 TIME EXTENSIONS – NONE

B.4 CONTINUANCES – NONE

B.5 APPROVALS – NONE

C. ACTION ITEMS-

- C.1 **CUP-32839-2020:** This is a request by Dahl, Robins & Associates, on behalf of B & G's Family LTD Partnership, for a Conditional Use Permit to allow a drive-through kiosk, in the Limited Commercial (B-1) District, at the properties located at 1030 W. 24th St, units A, B, C, D, and G, Yuma AZ.

- C.2 **CUP-32848-2020**: This is a request by N. Bruce Jacobson, on behalf of Palm Shadows of Yuma, LLC, for a Conditional Use Permit to allow an industrial use within 600' of residential in the in the Light Industrial/Infill Overlay (L-I/IO) District. The properties are located at 1100 & 1130 S. Maple Avenue, Yuma, Arizona.
- C.3 **SUBD-31702-2020**: This is a request by Dahl, Robins & Associates, Inc., on behalf of Barkley Limited Partnership, for approval of the preliminary plat for the Livingston Ranch Units No. 3 and 4 Subdivision. This subdivision will contain approximately 65.3 acres, and is proposed to be divided into 176 residential lots, ranging in size from 7,395 square feet to 19,451 square feet. The property is located near the northwest and northeast corner of 36th Street and the Avenue B½ alignment, Yuma, AZ (Continued from November 23, 2020)

D. PUBLIC HEARINGS – NONE

E. INFORMATION ITEMS

E.1 STAFF

E.2 COMMISSION

E.3 Public – Members of the public may address the Planning and Zoning Commission on matters that are not listed on the Commission agenda. The Planning & Zoning Commission cannot discuss or take legal action on any matter raised unless it is properly noticed for discussion and legal action. At the conclusion of the call to the public, individual members of the Commission may respond to criticism made by those who have addressed the Commission, may ask staff to review a matter or may ask that a matter be placed on a future agenda. All Planning & Zoning Commission meetings are recorded.

ADJOURN

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, the City of Yuma does not discriminate on the basis of disability in the admission of or access to, or treatment or employment in, its programs, activities, or services. For information regarding rights and provisions of the ADA or Section 504, or to request reasonable accommodations for participation in City programs, activities, or services contact: ADA/Section 504 Coordinator, City of Yuma Human Resources Division, One City Plaza, Yuma, AZ 85364; (928) 373-5125 or TTY (928) 373-5149.

Notice is hereby given, pursuant to the Yuma City Code, Title 15, Chapter 154, Section 02.01, that one or more members of the Planning and Zoning Commission may participate in person or by telephonic, video or internet conferencing. Voting procedures will remain as required by the Yuma City Charter and other applicable laws.

The Commission may vote to hold an executive session for the purpose of obtaining legal advice from the Commission's attorney on any matter listed on the agenda pursuant to A.R.S. § 38-431.03(A)(3).

**Planning and Zoning Commission Meeting Minutes
December 14, 2020**

A regular meeting of the City of Yuma Planning and Zoning Commission was held on Monday December 14, 2020, at the City of Yuma Council Chambers, One City Plaza, Yuma, Arizona.

PLANNING AND ZONING COMMISSION MEMBERS present were Chairman Chris Hamel and Commissioners Gregory Counts, Lorraine Arney, Joshua Scott and Barbara Beam. Vice Chairman Fred Dammeyer and Commissioner Janice Edgar were absent.

STAFF MEMBERS present included Rodney Short, Deputy City Attorney; Randall Crist, Interim DCD Director; Alyssa Linville, Assistant Director DCD; Shelly Hook, Development Project Coordinator; Augustin Cruz, Senior Civil Engineer; Jessenia Juarez, Administrative Assistant, and Alex Marquez, Administrative Assistant.

Chairman Chris Hamel called the meeting to order at 4:30 p.m. and noted there was a quorum present.

CONSENT CALENDAR

MINUTES –November 23, 2020

WITHDRAWALS BY APPLICANT – None

CONTINUANCES – None

APPROVALS – None

Commissioner Arney stated there needed to be a correction on the minutes, which stated that Chairman Chris Hamel adjourned the meeting on Monday November 23, 2020. The Minutes should reflect that Vice Chairman Fred Dammeyer adjourned the meeting.

Motion by Arney, second by Scott, to APPROVE the Consent Calendar, including the correction to the minutes as noted. Motion carried unanimously, (5-0) with two absent.

Action Items –

SUBD-32550-2020: *This is a request by Vianey Vega, on behalf of Arizona Housing Development Corporation, for approval of the preliminary plat for the AHDC Magnolia Avenue Phase Two Subdivision. This subdivision will contain approximately 40,650 square feet, and is proposed to be divided into 6 residential lots, ranging in size from 5,649 square feet to 9,899 square feet. The property is located at the northeast corner of Magnolia Avenue and 5th Street, Yuma, AZ.*

Alyssa Linville, Assistant Director DCD, summarized the staff report and recommended **APPROVAL**.

QUESTIONS FOR STAFF

Commissioner Scott asked if the Fire Department was in agreement with the flag shape lot access. **Linville** replied yes.

APPLICANT / APPLICANT'S REPRESENTATIVE

Vianey Vega 1846 S. 8th Ave. Yuma, AZ 85364 thanked the Staff for the report and confirmed that he received the Conditions of Approval and had no objections to them.

PUBLIC COMMENT

None

Motion by Counts, second by Arney, to APPROVE SUBD-32550-2020, subject to the Conditions of Approval in Attachment A. Motion carried (5-0) with two absent.

ZONE-32945-2020: *This is a request by The City of Yuma for a Zoning Code Text Amendment to amend Title 15, Chapter 154, Article 22 to update provisions related to Non-Profit Medical and Recreational Marijuana Dispensaries, as it relates to the recent approval of State Proposition 207 in the November 2020 General Election.*

Alyssa Linville, Assistant Director DCD, summarized the staff report and recommended **APPROVAL**.

QUESTIONS FOR STAFF

Hamel asked if there was any security protocols for the establishments in the text amendment. **Linville** replied that there are no security protocols in the text amendment, but there may be at the state level. **Deputy City Attorney Rodney Short** stated in Prop 207 that there is a provision of security under Title 48 that has security protocols for the whole state. **Commissioner Counts** asked if there was anything in the General Plan that addressed security, or would that topic be included in the upcoming General Plan Amendment. **Linville** replied that the establishments need to meet the buffer requirements within the appropriate zoning designations. **Short** then added the Department of Health Services is currently writing the rules for security.

APPLICANT / APPLICANT'S REPRESENTATIVE

None

PUBLIC COMMENT

None

Motion by Arney, second by Beam, to APPROVE ZONE-32945-2020, as presented in the staff report. Motion carried (5-0) with two absent.

INFORMATION ITEMS

Staff

None

Commission

None

Public

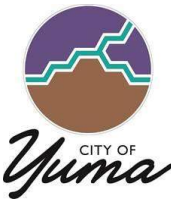
None

ADJOURNMENT

Hamel adjourned the meeting at 4:44 p.m.

Minutes approved this _____ day of _____, 2021

Chairman



STAFF REPORT TO THE PLANNING & ZONING COMMISSION
DEPARTMENT OF COMMUNITY DEVELOPMENT
COMMUNITY PLANNING DIVISION
CASE TYPE – CONDITIONAL USE PERMIT
CASE PLANNER: CUP-32839-2020

Hearing Date: January 11, 2021

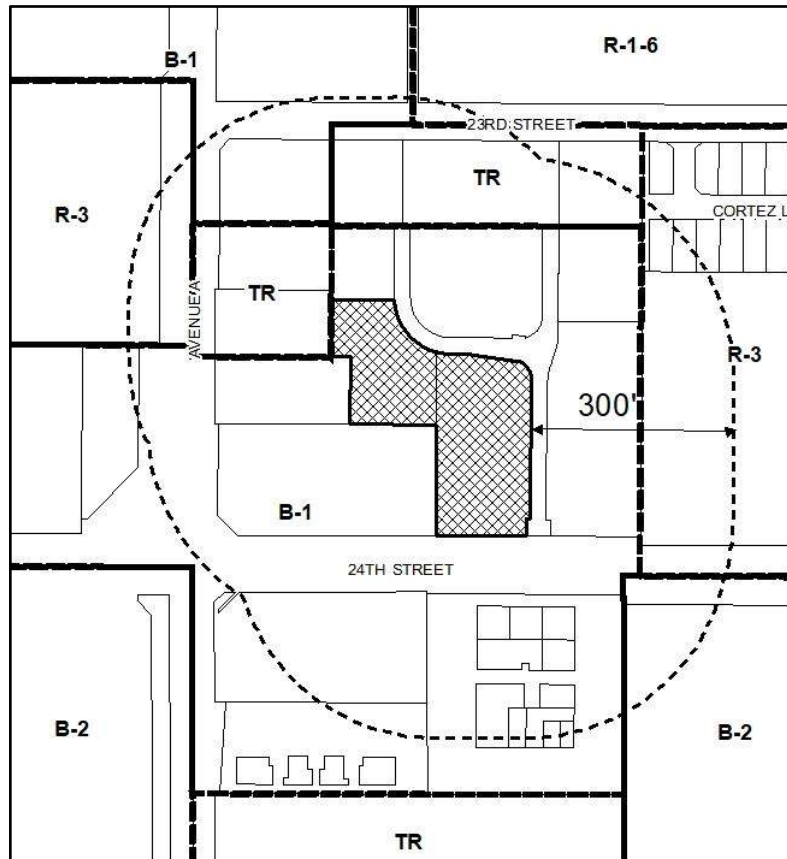
Case Number: CUP-32839-2020

Project Description/Location:

This is a request by Dahl, Robins & Associates, on behalf of B & G's Family LTD Partnership, for a Conditional Use Permit to allow a drive-through kiosk, in the Limited Commercial (B-1) District, on the properties located at 1030 W 24th St, units A, B, C, D, and G, Yuma AZ.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Limited Commercial (B-1)	The Chile Pepper	Mixed use
North	Limited Commercial (B-1)	Commercial Use/Vacant lot	Mixed use
South	Limited Commercial (B-1)/ Transitional (TR)	Multi-Tenant Commercial Building	Mixed use
East	Limited Commercial (B-1)	Yuma Dermatology	Mixed use
West	Limited Commercial (B-1)	Multi-Tenant Commercial Building	Mixed use

Location Map:



Prior site actions: Annexation: July 21, 1956 (Ord. 672); Subdivision: November 13, 1984 (S84-9), January 4, 1989 (S88-4); Rezone: December 3, 1992 (Ord. 2600)

Staff Recommendation: Staff recommends **APPROVAL** of the Conditional Use Permit to allow a drive-through kiosk in the Limited Commercial (B-1) District, subject to the conditions outlined in Attachment A.

Suggested Motion: Move to **APPROVE** Conditional Use Permit CUP-32839-2018 as presented, subject to the staff report, information provided during this hearing, and the conditions in Attachment A.

Effect of the Approval: By approving the Conditional Use Permit, the Planning and Zoning Commission is authorizing the request by B & G's Family LTD Partnership for a drive-through kiosk for the property located at 1030 W. 24th St., subject to the conditions outlined in Attachment A, and affirmatively finds that the seven Conditional Use Permit criteria set forth in Section 154-03.05(G)(2) of the City of Yuma Zoning Code have been met.

Staff Analysis: The subject property is located at 1030 W. 24th St, units A, B, C, D, J-1, J-2, J-3, J-4, G, and is in the Limited Commercial (B-1) District. The proposed project for this Conditional Use Permit (CUP) is currently crossing a property line and features two lots. These two lots (665-57-049/665-57-050) comprise approximately 59,069 square feet, and were annexed into the City of Yuma on July 17, 1956. The first larger lot features an 8,390 square feet structure, occupied by an existing restaurant, Chili Pepper. The second lot features a 1,891 building used by the same company for food production.

The restaurant, Chile Pepper, has requested to place a drive through kiosk (illustrated on Attachment B) on the western parcel. This application is required by the City of Yuma Zoning Code which states that a CUP is needed for any drive through facility, §154-08.03(E)(1). The requested kiosk is proposed to be a temporary structure in response to the impacts of COVID-19. The City of Yuma Zoning Code does not have a provision for temporary structures; however, staff is reviewing the proposed project in an effort to provide alternative dining options during these times.

The subject properties were subdivided in 1984 which establishing the existing 24th Street Plaza Subdivision (S84-9). This subdivision was created with the intent to construct general and medical offices. This property was further subdivided in to 9 lots in 1989 (S88-4). The subdivision was rezoned in 1992 to bring all the lots in the development into the same zoning district, Limited Commercial (B-1) (Z92-14).

The 1988 subdivision (S88-4) that created the 9 existing lots, also implemented a Declaration of Establishment of Conditions, Covenants and Restrictions for 24th Street Plaza and Development Agreement. This outlines the need for any development in the subdivision to be reviewed and approved by a "Development Committee". This need is a private agreement and would not be managed by City staff.

The larger of the two lots (the eastern lot) received a variance to accommodate the placement of the current restaurant facility. This variance allowed for the reduction of parking from 60 parking spaces to 49, with the requirement that 4 spaces were designated as employee parking. The proposed kiosk would remove two parking spaces from the property that received a parking reduction, and two spaces from the western parcel. Furthermore, the proposed vehicle stacking for kiosk has the potential to significantly reduce the usability of the parking lot on-site. Since the proposed use crosses property lines, a lot tie will be required as a Condition of Approval. A traffic control plan should be implemented to ensure consistent traffic flow through the private, internal roadways.

1. What are the impacts of the proposed conditional use on neighboring properties and what conditions are being proposed to resolve those impacts?

Yes.

SPECIFIC IMPACT AREA		ISSUE	CONDITION #
A.	Traffic	None.	N/A
B.	Parking	None.	N/A
C.	Lighting	Any altered or added lighting will have to be designed with "dark sky" compatible down lighting with a maximum 3000 kelvin LED Lights.	#1
D.	Hours of Operation	The hours of operation for the kiosk will be daily, 7:00 am to 9:00 pm.	#6
E.	Indoor/Outdoor Activities	All outdoor activities or storage shall take place in a screened storage yard.	#1
F.	Noise	None.	N/A
G.	Air Quality	None.	N/A
H.	Hazardous Materials	None.	N/A
I.	Crime Prevention (CPTED)	None.	N/A
J.	Other	None.	N/A

2. Does the site plan comply with the requirements of the zoning code?

Yes. The focus area identified within this CUP request meets the requirements of the code.

3. Does the proposed use and site plan comply with Transportation Element requirements?

Yes.

TRANSPORTATION ELEMENT	PLANNED	EXISTING	DIFFERENCE	REQUESTED
24 th St. – 4 Lane Minor Arterial	50 FT H/W ROW	50 FT H/W ROW	0'	0'
Bicycle Facilities Master Plan	None			
YCAT Transit System	4, 4A, 6A, 95			
Issues:	None			

4. Does the proposed conditional use conform to all prior City Council actions for this site?

Yes.

5. Can the P&Z Commission answer the following questions affirmatively?

(1) Is the Planning and Zoning Commission, or the City Council, authorized under the zoning code to grant the conditional use permit described in the application?

Yes. The Planning and Zoning Commission has the authority to review and approve this request per section 154-08.03(E)(1), in which a CUP is required for any drive-through facility.

(2) Will the establishment, maintenance, and/or operation of the requested conditional use, under the circumstances of the particular case, not be detrimental to the health, safety; peace, morals, comfort, or general welfare of persons residing, or working, in the vicinity or such proposed use, or be detrimental, or injurious, to the value of property in the vicinity, or to the general welfare of the city?

Yes. The proposed use will not be detrimental to the health, safety, and general welfare of persons residing, or working in the vicinity.

(3) Are the provisions for ingress, egress, and traffic circulation, and adjacent public streets adequate to meet the needs of the requested conditional use?

Yes. The site will utilize existing access along 24th St and the private road through the subdivision.

(4) Are the provisions for building(s) and parking facility setbacks adequate to provide a transition from, and protection to, existing and contemplated residential development?

Yes. The property is considered to provide adequate transition between existing residential development, as there is both a roadway and another building between the proposed use and the residential apartment units to the east of the subject property.

(5) Are the height and bulk of the proposed buildings, and structures, compatible with the general character of development in the vicinity of the requested conditional use?

Yes. The current bulk and height of the existing buildings are consistent with the surrounding development.

(6) Have provisions been made to attenuate noise levels and provide for adequate site, and security lighting?

Yes. The site will provide the necessary means to meet requirements regarding noise level reduction and site lighting for security purposes with any new development proposals.

(7) Has the site plan for the proposed conditional use, including, but not limited to landscaping, fencing, and screen walls and/or planting, CPTED strategies (Crime Prevention Through Environmental Design), and anti-graffiti strategies been adequately provided to achieve compatibility with adjoining areas?

Yes. The proposed use is consistent with the Crime Prevention through Environmental Design (CPTED) principles for visual surveillance.

**External Agency
Comments:**

See Attachment D.

**Neighborhood Meeting
Comments:**

Due to the impacts of COVID-19, no neighborhood meeting was held.

**Discussions with
Applicant/Agent:**

January 4, 2021

Proposed conditions delivered to applicant on: January 4, 2021

Final staff report delivered to applicant on: January 11, 2021

ATTACHMENTS:

A	B	C	D	E	F
Conditions of Approval	Site Plan	Subject Property Photos	External Agency Comments	Agency Notifications	Aerial Photo

Prepared By:
Chad Brown
Associate Planner



Chad.Brown@yumaaz.gov

Date: 01/04/2021
(928)373-5000, x 3038

Approved By:
Alyssa Linville,
Assistant Director Community Development



Date: 01/04/2021

ATTACHMENT A
CONDITIONS OF APPROVAL

The following conditions of approval are roughly proportionate to the impacts associated with the conditional use and expected development on the property.

**Community Development Comments: Alyssa Linville, Assistant Director,
Community Development, (928) 373-5000, x 3037:**

1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action request takes the place of the requirement for a separate notarized and recorded "Waiver of Claims" document.
3. The Owner shall submit to the City of Yuma, for recordation, a signed and notarized Avigation Easement on the property acknowledging potential noise and overflight of aircraft from both daily and special operations of the Marine Corps Air Station and the Yuma International Airport.

Community Planning: Chad Brown, Associate Planner, (928) 373-5000 X 3038

4. A lot tie shall be completed combining APNs: 665-57-049 and 665-57-050.
5. The hours of operation for the kiosk will be daily, 7:00 am to 9:00 pm.
6. Any substantial modification to the overall site design as represented on the site plan will require a public hearing and be subject to the approval of the Planning and Zoning Commission. A substantial modification to the site plan would include, but not necessarily be limited to, the relocation of vehicular access, the modification of storm water retention or the relocation of a building or structure.
7. The conditions listed above shall be completed within one (1) year of the effective date of the approval of the Conditional Use Permit or prior to the issuance of any Building Permit, Certificate of Occupancy or City of Yuma Business License for this property. In the event that the conditions are not completed within this time frame, the Conditional Use Permit shall be null and void.
8. In any case where a Conditional Use Permit has not been used within one year after the granting thereof, it shall be null and void.
9. Prior to the expiration date of the Conditional Use Permit, the applicant has the option to file for a one-year time extension.

Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.

Site plan for the proposed new building at 24th Street. The plan shows a large rectangular building footprint with a 'NEW KIOSK' area at the top center. To the left of the kiosk is an 'EXISTING BUILDING' and a parking lot with several cars. Below the kiosk is a 'PICK-UP' area with a row of parking spaces marked with wheelchair icons. To the right of the pick-up area is another 'EXISTING BUILDING'. The bottom of the plan is labeled '24TH STREET'. Various dimensions and survey points are indicated throughout the plan.

ATTACHMENT C
SUBJECT PROPERTY PHOTOS



TOP IMAGE: THE WHITE CAR IS THE APPROXIMATE LOCATION OF THE PROPOSED DRIVE THROUGH FACILITY.



BOTTOM IMAGE: THE APPROXIMATE LOCATION OF THE FOOD PICK UP SPOT IS WHERE THE OUTDOOR REFRIGERATORS ARE LOCATED, IN THIS IMAGE. FOR REFERENCE OF THE PROPOSED SITE PLAN SEE ATTACHMENT B.

**ATTACHMENT D
EXTERNAL AGENCY COMMENTS**

☒ COMMENT ☐ NO COMMENT

Enter comments below:

Western Area Power Administration (WAPA) has no comment in regards to the drive-through kiosk, however in the event a widening of the entrance driveway off of 24th Street is required (unable to determine based on provided preliminary information) please have the applicant contact WAPA to determine if a License application/agreement is needed. WAPA has a facility identified as GLA-YUT that is located within the 24th Street right of way and traverses across the entrance driveway.

DATE: 12/1/20 NAME: Dennis Patane TITLE: Realty Technician
AGENCY: Western Area Power Administration
PHONE: 602 605-2713
RETURN TO: Chad Brown
Chad.Brown@YumaAZ.gov

ATTACHMENT E

AGENCY NOTIFICATIONS

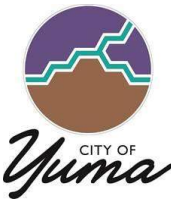
- Legal Ad Published: The Sun (12/18/20)
- 600' Vicinity Mailing: (11/23/20)
- 34 Commenting/Reviewing Agencies noticed: (11/26/20)
- Hearing Date: (1/11/21)
- Comments due: (12/7/20)

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	YES	12/1/20	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	YES	12/2/20	X		
Yuma County Planning & Zoning	NR				
Yuma County Assessor	YES	12/1/20	X		
Arizona Public Service	NR				
Time Warner Cable	NR				
Southwest Gas	NR				
Qwest Communications	NR				
Bureau of Land Management	NR				
YUHS District #70	NR				
Yuma Elem. School District #1	NR				
Crane School District #13	NR				
A.D.O.T.	YES	12/1/20	X		
Yuma Irrigation District	NR				
Arizona Fish and Game	NR				
USDA – NRCS	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Co.	NR				
Western Area Power Administration	YES	12/1/20		X	
City of Yuma Internal List (Conditions)	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Police	NR				
Parks & Recreation	NR				
Development Engineer	NR				
Fire	YES	12/1/2020	X		
Building Safety	YES	12/9/20	X		
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	YES	12/2/2020	X		
Utilities	NR				
Public Works	NR				
Streets	NR				

ATTACHMENT F
AERIAL PHOTO



IMAGE: THE SUBJECT PROPERTIES ARE IDENTIFIED BY THE RED RECTANGLES.



STAFF REPORT TO THE PLANNING & ZONING COMMISSION
DEPARTMENT OF COMMUNITY DEVELOPMENT
COMMUNITY PLANNING DIVISION
CASE TYPE – CONDITIONAL USE PERMIT
CASE PLANNER: ERIKA PETERSON

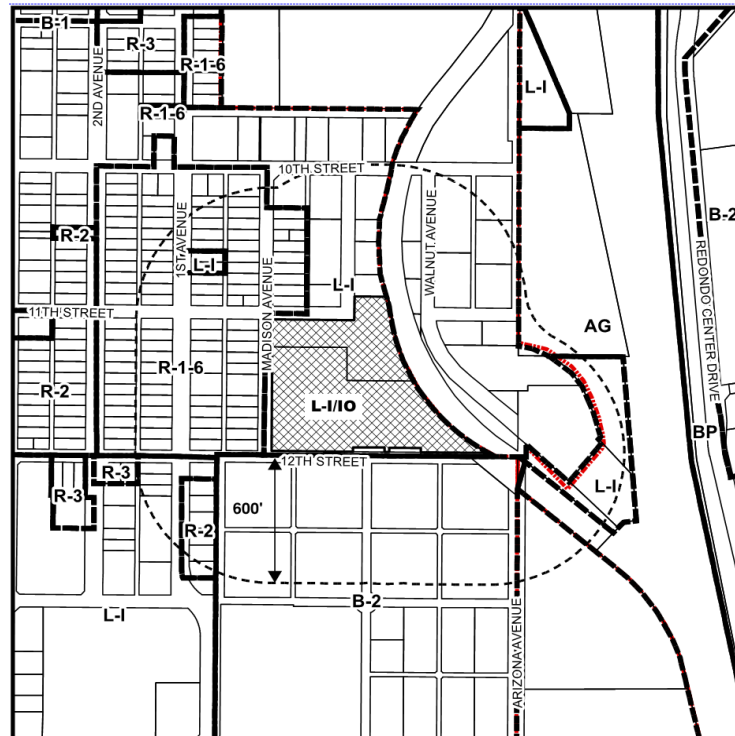
Hearing Date: January 11, 2021

Case Number: CUP-32848-2020

Project Description/Location: This is a request by N. Bruce Jacobson, on behalf of Palm Shadows of Yuma, LLC, for a Conditional Use Permit to allow an industrial use within 600' of residential in the in the Light Industrial/Infill Overlay (L-I/IO) District. The properties are located at 1100 & 1130 S. Maple Avenue, Yuma, Arizona.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Light Industrial/Infill Overlay (L-I/IO)	Industrial	Industrial
North	Low Density Residential/Infill Overlay (R-1-6/IO): Light Industrial/Infill Overlay (L-I/IO)	Residential/Industrial	Low Density Residential/Industrial
South	General Commercial/Infill Overlay (B-2/IO)	Cemetery	Public/Quasi
East	Yuma County - Heavy Industrial	Industrial	Industrial
West	Low Density Residential/Infill Overlay (R-1-6/IO)	Residential	Low Density Residential

Location Map:



Prior site actions: Annexation: Ord. # O2007-54 (November 17, 2007)

Staff Recommendation: Staff recommends **APPROVAL** of the Conditional Use Permit to allow an industrial use within 600' of residential in the in the Light Industrial/Infill Overlay (L-I/IO) District, subject to the conditions outlined in Attachment A.

Suggested Motion: Move to **APPROVE** Conditional Use Permit CUP-32848-2020 as presented, subject to the staff report, information provided during this hearing, and the conditions in Attachment A.

Effect of the Approval: By approving the Conditional Use Permit, the Planning and Zoning Commission is authorizing the request by N. Bruce Jacobson, on behalf of Palm Shadows of Yuma, LLC for the property located at 1100 & 1130 S. Maple Avenue, Yuma, Arizona, subject to the conditions outlined in Attachment A, and affirmatively finds that the seven Conditional Use Permit criteria set forth in Section 154-03.05(G)(2) of the City of Yuma Zoning Code have been met.

Staff Analysis: The subject properties are located at 1100 and 1130 S. Maple Avenue, in the Speese Addition subdivision area and are approximately 10 acres combined. The properties were annexed into the City of Yuma on November 17, 2007 and have been historically used as packing facilities for citrus growers, storage, and for railroad deliveries of agricultural products, lumber, and fertilizers.

Currently, the properties feature several vacant metal buildings, a vacant office building at the front of the property, a vacant mobile home at the northwest corner, and a single-family residence. The buildings on the property are in failing condition, many of which will require to be demolished. It is the intent of the property owners to demolish the buildings within the next five years. In the meantime, they are proposing to repair the largest building, on the northeast side of the property and address the drainage issues and railroad track settlement on the east side of the property. The clean up, construction of new buildings and environmental testing will be broken up into two phases. With phase two focusing on environmental testing.

The property owners are proposing to continue the past uses of railroad deliveries and storage of lumber, with the expanded storage of appliances and other building materials. The products delivered and stored on the properties will only be for the property owners, as it pertains to their construction companies and will not be open to the public. The hours of operations will be from 5 am to 7 pm, Monday thru Saturday. Within the Light Industrial (L-I) District, a conditional use permit is required when any industrial building or activity is located within 600 feet from any residential zoning district and residential use.

The property owners will revive and add additional landscape along E. 11th Street and S. Madison Avenue. In addition, the security chain-link fence surrounding the property will be repaired to provide a buffer between the neighboring residential and other industrial areas. As the property owners begin to construct new buildings, the parking requirements will be determined.

1. What are the impacts of the proposed conditional use on neighboring properties and what conditions are being proposed to resolve those impacts?

SPECIFIC IMPACT AREA		ISSUE	CONDITION #
A.	Traffic	None	
B.	Parking	Adequate paved parking and access is required.	# 1
C.	Lighting	Parking lot lighting will need to be installed.	# 1
D.	Hours of Operation	5 am to 7 pm, Monday thru Saturday	
E.	Indoor/Outdoor Activities	None	
F.	Noise	None	
G.	Air Quality	None	
H.	Hazardous Materials	None	
I.	Crime Prevention (CPTED)	Security fence, lighting, and landscaping.	# 1
J.	Other	None	

2. Does the site plan comply with the requirements of the zoning code?

Yes. All the new development on site will need to meet the development standards outlines in the zoning code.

3. Does the proposed use and site plan comply with Transportation Element requirements?

Yes.

FACILITY PLANS						
Transportation Master Plan	Planned	Existing	Gateway	Scenic	Hazard	Truck
Maple Avenue- Local Street	29 FT H/W ROW	30 FT H/W ROW				
11 th Street- Local Street	29 FT H/W ROW	30 FT H/W ROW				
Madison Avenue- Local Street	29 FT H/W ROW	30 FT H/W ROW				
Bicycle Facilities Master Plan	N/A					
YCAT Transit System	N/A					
Issues:	None					

4. Does the proposed conditional use conform to all prior City Council actions for this site?

Yes

5. Can the P&Z Commission answer the following questions affirmatively?

(1) Is the Planning and Zoning Commission, or the City Council, authorized under the zoning code to grant the conditional use permit described in the application?

Yes. The Planning & Zoning Commission has the authority to review and approve this request per Section 154-09.02(F)(1)(c), which requires a Conditional Use Permit for industrial buildings or activities within 600 feet of any residential zoning district or use.

(2) Will the establishment, maintenance, and/or operation of the requested conditional use, under the circumstances of the particular case, not be detrimental to the health, safety; peace, morals, comfort, or general welfare of persons residing, or working, in the vicinity or such proposed use, or be detrimental, or injurious, to the value of property in the vicinity, or to the general welfare of the city?

Yes. The proposed use and operations, as described by the property owners, will be contained within the establishment and buildings and will not be detrimental to the

health, safety, or general welfare of persons residing or working in the vicinity. With proper maintenance and operational procedures, the neighboring property owners and/or businesses should not be affected.

(3) Are the provisions for ingress, egress, and traffic circulation, and adjacent public streets adequate to meet the needs of the requested conditional use?

Yes. The provisions for ingress, egress, and traffic circulation and adjacent public streets, as well as proper on-site circulation are adequate to meet the needs of the requested conditional use.

(4) Are the provisions for building(s) and parking facility setbacks adequate to provide a transition from, and protection to, existing and contemplated residential development?

Yes. The existing and proposed buildings and parking facilities will adequately provide a transition from, and protection to, existing residential development.

(5) Are the height and bulk of the proposed buildings, and structures, compatible with the general character of development in the vicinity of the requested conditional use?

Yes. The height and bulk of the proposed buildings, and structures, are compatible with the general character of other industrial development in the vicinity of the requested conditional use. Additionally, the applicants have the intent to tear down the unsalvageable existing buildings and replace them with new buildings, which will be compatible and improve the general character of the surrounding area.

(6) Have provisions been made to attenuate noise levels and provide for adequate site, and security lighting?

Yes. The site will provide the necessary means to meet the requirements regarding noise level reductions and site concerns as well as site lighting for security purposes.

(7) Has the site plan for the proposed conditional use, including, but not limited to landscaping, fencing, and screen walls and/or planting, CPTED strategies (Crime Prevention Through Environmental Design), and anti-graffiti strategies been adequately provided to achieve compatibility with adjoining areas?

Yes. The proposed use of the site will include proper screening and landscaping consistent with the Crime Prevention Through Environmental Design (CPTED) principles for visual surveillance.

Public Comments Received:

Name:	Leticia Ramos			Contact Information: (928) 782-6286							
Method of Contact:	Phone	<input checked="" type="checkbox"/>	FAX		Email		Letter		Other		
The customer wanted to know what was being proposed. After explaining the proposed use and project, she did not have any additional questions.											
Name:	Denise Perez			Contact Information: (928) 210-3702							
Method of Contact:	Phone	<input checked="" type="checkbox"/>	FAX		Email		Letter		Other		

The customer wanted to know if this was going to be a City of Yuma project and if it was going to be a shelter for men. The customer had no further questions after the proposed project was explained.

Name: Miguel Valle Contact Information: (928) 941-6264

Method of Contact: Phone ☒ FAX ☐ Email ☐ Letter ☐ Other ☐

The customer wanted to know what type of industrial uses were being proposed by the property owner. He said he has some property on Madison Avenue and wanted to find out more information. After explaining the process and proposed use, he was relieved to hear that it would be an improvement to the surrounding area. He said he would be attending the public hearing.

Agency Comments: See Attachment
Neighborhood Meeting Comments: No Meeting Required.

Discussions with Applicant/Agent: December 17, 2020

Proposed conditions delivered to applicant on: December 28, 2020

Final staff report delivered to applicant on: January 4, 2021

- ☐ Applicant agreed with all of the conditions of approval on: (enter date)
☐ Applicant did not agree with the following conditions of approval: (list #'s)
☒ Conditions of Approval were emailed to the applicant and a response has not been received.

ATTACHMENTS:

A	B	C	D	E	F
Conditions of Approval	Site Plan	Site Photos	Agency Notifications	Agency Comments	Aerial Photo

Prepared By:
Erika Peterson,
Assistant Planner



Date: 01/04/2021

Erika.Peterson@YumaAZ.Gov (928)373-5000, x3071

Approved By:
Alyssa Linville,
Assistant Director Community Development



Date: 01/04/2021

ATTACHMENT A
CONDITIONS OF APPROVAL

The following conditions of approval are roughly proportionate to the impacts associated with the conditional use and expected development on the property.

Community Development Comments: Alyssa Linville, Assistant Director, Community Development, (928) 373-5000, x 3037:

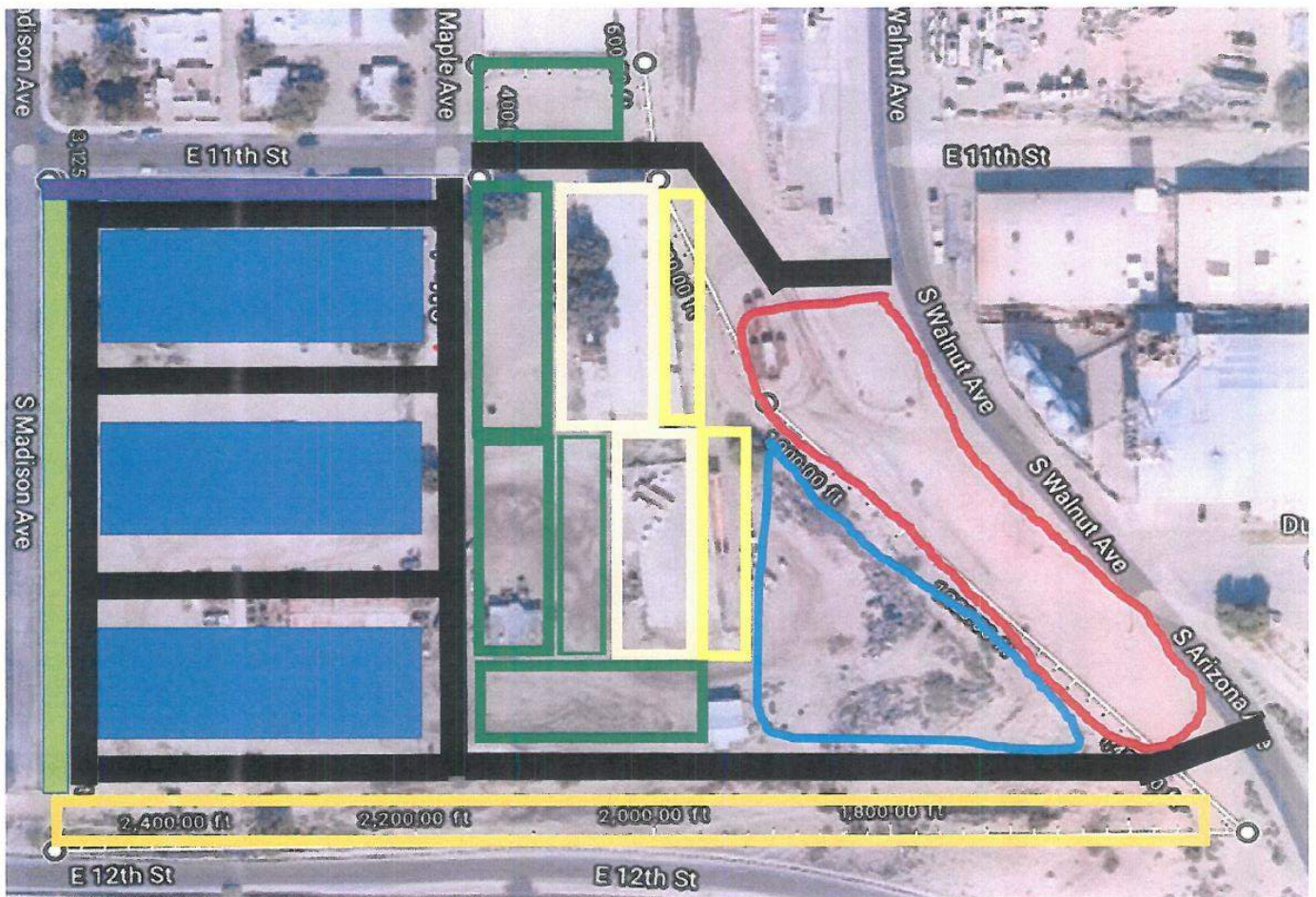
1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action request takes the place of the requirement for a separate notarized and recorded "Waiver of Claims" document.
3. The Owner shall submit to the City of Yuma, for recordation, a signed and notarized Avigation Easement on the property acknowledging potential noise and overflight of aircraft from both daily and special operations of the Marine Corps Air Station and the Yuma International Airport.

Community Planning: Erika Peterson, Assistant Planner, (928) 373-5000, x 3071:

4. Any substantial modification to the overall site design as represented on the site plan will require a public hearing and be subject to the approval of the Planning and Zoning Commission. A substantial modification to the site plan would include, but not necessarily be limited to, the relocation of vehicular access, the modification of storm water retention or the relocation of a building or structure.
5. A lot tie will need to be recorded for APN(s): 665-12-322 and 665-12-323, prior to the issuance of building permits for new structures.
6. The conditions listed above shall be completed within one (1) year of the effective date of the approval of the Conditional Use Permit or prior to the issuance of any Building Permit, Certificate of Occupancy or City of Yuma Business License for this property. In the event that the conditions are not completed within this time frame, the Conditional Use Permit shall be null and void.
7. In any case where a Conditional Use Permit has not been used within one year after the granting thereof, it shall be null and void.
8. Prior to the expiration date of the Conditional Use Permit, the applicant has the option to file for a one-year time extension.

Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.

ATTACHMENT B SITE PLAN



- 100x300 Building (3 each) (Future)
- Open Air Storage or Loading Zones
- Rail loading and unloading at grade level
- Arizona Avenue access road options
- Rail loading and unloading at dock level
- South slope
- Possible 16' to 24' high sight and sound screen wall, or leave as chainlink fence.
- Possible lease and or purchase of railroad right of way from railroad.
- Current Low Area, Possible Open Air or Enclosed Building Area
- 20' Setback Area

12-Nov-2020
Palm Shadows of Yuma, LLC
also known as the Knepper Property

Jacobson Companies
928-782-1801

ATTACHMENT C
SITE PHOTOS

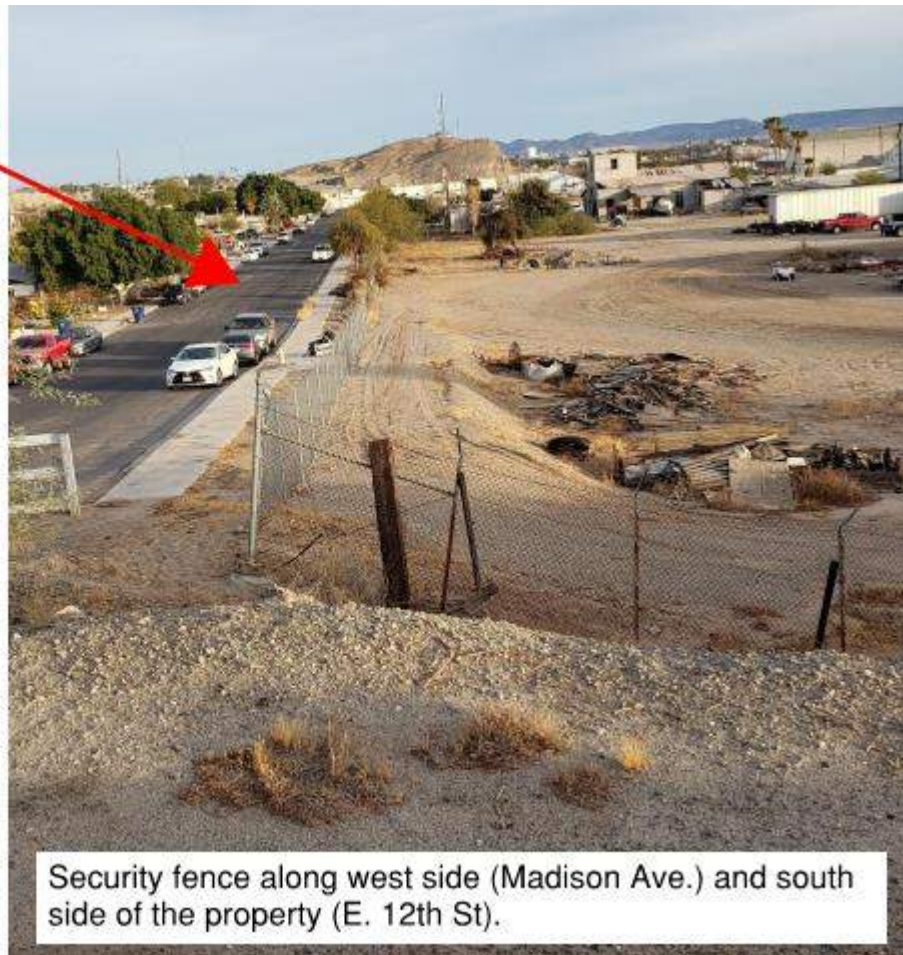






Largest metal building on east side of property.

Madison Ave.



Security fence along west side (Madison Ave.) and south side of the property (E. 12th St).

ATTACHMENT D AGENCY NOTIFICATIONS

- Legal Ad Published: The Sun (12/18/20)
- 600' Vicinity Mailing: (12/01/20)
- 34 Commenting/Reviewing Agencies noticed: (12/02/20)
- Site Posted on: (12/10/20)
- Neighborhood Meeting: N/A
- Hearing Date: (01/11/21)
- Comments due: (12/07/20)

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	YES	12/2/2020	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	YES	12/2/2020	X		
Yuma County Planning & Zoning	YES	12/2/2020		X	
Yuma County Assessor	NR				
Arizona Public Service	NR				
Time Warner Cable	NR				
Southwest Gas	NR				
Qwest Communications	NR				
Bureau of Land Management	NR				
YUHS District #70	NR				
Yuma Elem. School District #1	NR				
Crane School District #13	NR				
A.D.O.T.	YES	12/3/2020	X		
Yuma Irrigation District	YES	12/3/2020	X		
Arizona Fish and Game	NR				
USDA – NRCS	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Co.	NR				
Western Area Power Administration	YES	12/2/2020	X		
City of Yuma Internal List (Conditions)	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Police	NR				
Parks & Recreation	NR				
Development Engineer	NR				
Fire	YES	12/3/2020	X		
Building Safety	YES	12/9/2020	X		
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	YES	12/2/2020	X		
Utilities	NR				
Public Works	NR				
Streets	NR				

ATTACHMENT E
AGENCY COMMENTS

☒ COMMENT ☐ NO COMMENT

Enter comments below:

It will be important to preserve the value of buildings and their occupant's privacy by requiring spacing and screening between different types of uses and intensities; therefore transitional buffer yards and screening measures should be implemented.

DATE: 12/2/20 NAME: Javier TITLE: Senior Planner
 Barraza

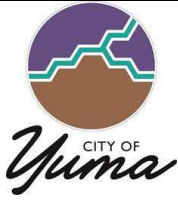
AGENCY: Yuma County DDS

PHONE: 928 817 5000

RETURN TO: Erika Peterson
 Erika.Peterson@YumaAZ.gov

ATTACHMENT F
AERIAL PHOTO





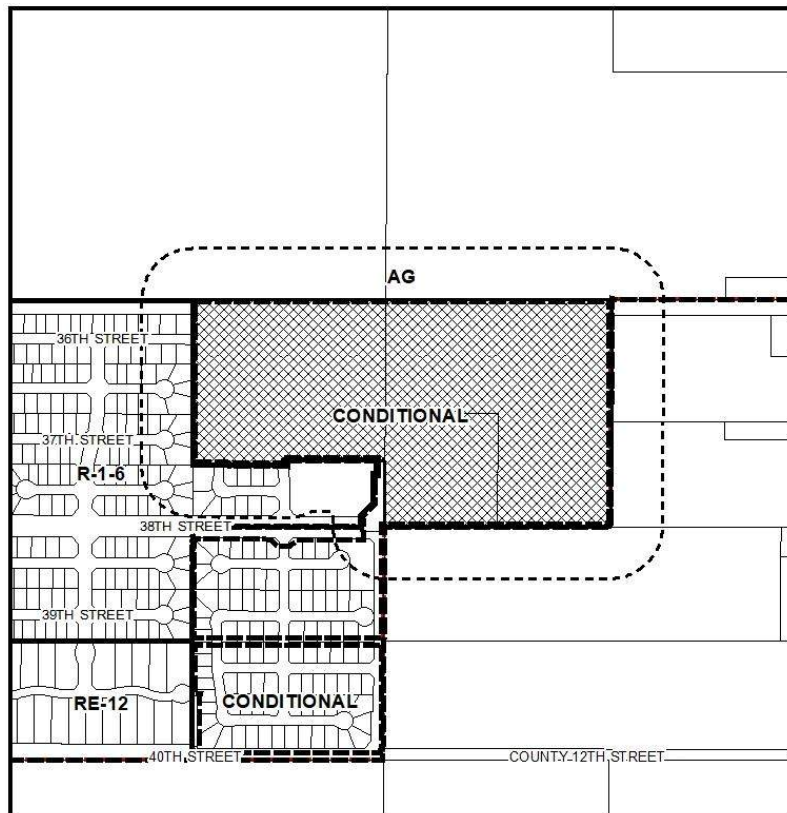
STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF COMMUNITY DEVELOPMENT
COMMUNITY PLANNING DIVISION
CASE TYPE – PRELIMINARY SUBDIVISION
CASE PLANNER: ALYSSA LINVILLE

Hearing Date: January 11, 2021 **Case Number:** SUBD-31702-2020

Project Description/Location: This is a request by Dahl, Robins & Associates, Inc., on behalf of Barkley Limited Partnership, for approval of the preliminary plat for the Livingston Ranch Units No. 3 and 4 Subdivision. This subdivision will contain approximately 65.3 acres, and is proposed to be divided into 176 residential lots, ranging in size from 7,395 square feet to 19,451 square feet. The property is located near the northwest and northeast corner of 38th Street and the Avenue B½ alignment, Yuma, AZ.

	Existing Zoning	Existing Land Use	Designated Land Use
Site	Agriculture/Conditional Low Density Residential (AG/Cond. R-1-6)	Undeveloped	Low Density Residential
North	Agriculture (AG)	Agriculture	Low Density Residential
South	Low Density Residential (R-1-6); Yuma County	Single-Family Residences; Agriculture	Low Density Residential
East	Yuma County	Agriculture	Low Density Residential
West	Low Density Residential (R-1-6)	Single-Family Residences	Low Density Residential

Location Map



Prior site actions: Annexation: Ord. O2005-38 (May 18, 2005); Rezone: Ord. O2005-61 (August 17, 2005; Agriculture (AG) to Low Density Residential R-1-6))

Staff Recommendation: Staff recommends **APPROVAL** of the preliminary plat for the Livingston Ranch Units No. 3 and 4 Subdivision, subject to the conditions outlined in Attachment A.

Suggested Motion: Move to **APPROVE** Preliminary Plat SUBD-31702-2020 as presented, subject to the staff report, information provided during this hearing, and the conditions in Attachment A.

Effect of the Approval: By approving the preliminary plat, the Planning and Zoning Commission is acknowledging the street and lot layout of the Livingston Ranch Units No. 3 and 4 Subdivision which includes 176 lots ranging in size from 7,395 square feet to 19,451 square feet for the property located near the northwest and northeast corner of 38th Street and the Avenue B½ alignment, subject to the conditions of the rezoning and the conditions outlined in Attachment A, and affirmatively finds that the request is in conformance with the City of Yuma Subdivision Code and General Plan and is compatible with surrounding land uses.

Staff Analysis: The subject properties were annexed into the City of Yuma on May 18, 2005. Shortly after annexation, the subject properties were zoned to the Low Density Residential (R-1-6) District with the intent of developing a single-family residential subdivision. These property will become the third and fourth phase of the Livingston Ranch Subdivision.

The subject properties consist of approximately 65 acres and feature frontage along 38th Street and the Avenue B½ alignment. This phase of development is slated to feature residential lots ranging in size from 7,395 square feet to 19,451 square feet. Further specified in Yuma City Code §154-05.04, the following are some of the development standards required of a development with the Low Density Residential (R-1-6) District:

1. The maximum lot coverage in the Low Density Residential (R-1-6) District shall not exceed 35% of the lot area;
2. A minimum front yard setback of 20 feet;
3. A minimum side yard setback of 7 feet;
4. A minimum rear yard setback of 10 feet;
5. A maximum building height of 40 feet; and
6. A requirement for each lot to provide 2 off-street parking spaces, appropriately located.

With these phases of development, staff will be requiring that a Municipal Improvement District (MID) be established for the maintenance of required subdivision landscaping. The MID for each phase will need to be established prior to the issuance of any residential building permits.

1. Does the subdivision comply with the zoning code and the zoning district development standards?

Yes. The preliminary plat meets dimensional standards and development standards for the Low Density Residential (R-1-6) District.

2. Does the subdivision comply with the subdivision code requirements?

Yes. The preliminary plat will comply with the criteria set forth in the City of Yuma Subdivision Code.

Standard	Subdivision						Conforms			
Lot Size	Minimum:	7,395 SF			Maximum:	19,451 SF	Yes	X	No	
Lot Depth	Minimum:	118 FT			Maximum:	186 FT	Yes	X	No	
Lot Width/Frontage	Minimum:	50 FT			Maximum:	102 FT	Yes	X	No	
Setbacks	Front:	20 FT	Rear:	10 FT	Side:	7 FT	Yes	X	No	
District Size	65.3	Acres					Yes	X	No	
Density	2.69	Dwelling units per acre					Yes	X	No	

Issues:

Requirements		Conforms						
General Principles		Yes	X	No		N/A		
Streets		Conforms						
Circulation		Yes	X	No		N/A		
Arterial Streets		Yes		No		N/A	X	
Existing Streets		Yes	X	No		N/A		
Cul-de-sacs		Yes	X	No		N/A		
Half Streets		Yes	X	No		N/A		
Stub Streets		Yes	X	No		N/A		
Intersections		Yes	X	No		N/A		
Easements		Yes	X	No		N/A		
Dimensional Standards		Yes	X	No		N/A		
Issues: None								
Blocks		Conforms						
Length		Yes	X	No		N/A		
Irregular Shape		Yes	X	No		N/A		
Orientation to Arterials		Yes		No		N/A	X	
Business or Industrial		Yes		No		N/A	X	
Issues: None								
Lots		Conforms						
Minimum Width		Yes	X	No		N/A		
Length and Width Ratio		Yes	X	No		N/A		
Fronting on Arterials		Yes		No		N/A	X	
Double Frontage		Yes		No		N/A	X	
Side Lot Lines		Yes	X	No		N/A		
Corner Lots		Yes	X	No		N/A		
Building Sites		Yes	X	No		N/A		
Street Frontage		Yes	X	No		N/A		
Issues: None								

3. Does the subdivision comply with the elements, plans and policies of the General Plan?

Land Use Element:																	
Land Use Designation:				Low Density Residential													
Issues:				None													
Historic District:		Brinley Avenue				Century Heights				Main Street				None		X	
Historic Buildings on Site:				Yes				No		X							
Transportation Element:																	
FACILITY PLANS																	
TRANSPORTATION MASTER PLAN				Planned		Existing		Gateway		Scenic		Hazard		Truck			
38 th Street – Local Street				29 FT H/W ROW		62 FT H/W ROW											
Bicycle Facilities Master Plan				38 th Street – Existing Bike Lane													
YCAT Transit System				N/A													
Issues:				Phase 4 access along 38 th Street needs approval from USBR													
Parks, Recreation and Open Space Element:																	
Parks and Recreation Facility Plan																	
Neighborhood Park:		Existing: Las Casitas Park						Future: Las Casitas Park									
Community Park:		Existing: Smucker Community Park						Future: Smucker Community Park									
Linear Park:		Existing: East Main Canal Linear Park						Future: 36 th Street Linear Park									
Issues:				None													
Housing Element:																	
Special Need Household:				N/A													
Issues:				None													
Redevelopment Element:																	
Planned Redevelopment Area:				N/A													
Adopted Redevelopment Plan:				North End:				Carver Park:				None:		X			
Conforms:				Yes				No				N/A					
Conservation, Energy & Environmental Element:																	
Impact on Air or Water Resources				Yes				No		X							
Renewable Energy Source				Yes				No		X							
Issues:				None													
Public Services Element:																	
<u>Population Impacts</u> Population projection per 2013-2017 American Community Survey Police Impact Standard: 1 officer for every 530 citizens; Water Consumption: 300 gallons per day per person; Wastewater generation: 100 gallons per day per person				Dwellings & Type		Projected Population		Police Impact		Water Consumption		Wastewater Generation					
				<i>Single Family</i>													
				Proposed	Per Unit			Officers		GPD		AF		GPD			
				176	2.8	493		0.93		147,840		165.6		49,280			
Fire Facilities Plan:				Existing: Fire Station No. 6						Future: Fire Station No. 6							
Water Facility Plan:				Source:		City		X		Private		Connection		10" PVC			

Sewer Facility Plan:	Treatment:	City	X	Septic		Private		10" PVC
Issues:	None							
Safety Element:								
Flood Plain Designation:	Flood Zone X		Liquefaction Hazard Area:			Yes	X	No
Issues:	Groundwater 6' to 12' deep							
Growth Area Element:								
Growth Area:	Araby Rd & Interstate 8		Arizona Ave & 16 th St		Avenue B & 32 nd St.			
	North End	Pacific Ave & 8 th St	Estancia	None	X			
Issues:	None							

Public Comments Received: None Received.

External Agency Comments: See Attachment D.

Neighborhood Meeting Comments: No Meeting Required.

Proposed conditions delivered to applicant on: December 14, 2020

Final staff report delivered to applicant on: December 23, 2020

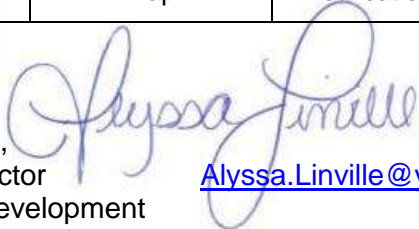
<input checked="" type="checkbox"/>	Applicant agreed with all of the conditions of approval on: December 17, 2020
<input type="checkbox"/>	Applicant did not agree with the following conditions of approval: (list #'s)
<input type="checkbox"/>	If the Planner is unable to make contact with the applicant – describe the situation and attempts to contact.

Attachments

A	B	C	D	E
Preliminary Plat Conditions of Approval	Preliminary Plat Map	Agency Notifications	Agency Comments	Aerial Photo

Prepared By:

Alyssa Linville,
Assistant Director
Community Development



Alyssa.Linville@yumaaz.gov

Date: December 22, 2020

(928)373-5000, ext. 3037

**ATTACHMENT A
PRELIMINARY PLAT
CONDITIONS OF APPROVAL**

The following conditions of approval have been determined to have a reasonable nexus to the requested subdivision application and are roughly proportionate to the impacts associated with the subdivision and expected development on the property.

Community Development Comments: Alyssa Linville, Assistant Director, Community Development, (928) 373-5000, x 3037:

1. The conditions are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action request takes the place of the requirement for a separate notarized and recorded "Waiver of Claims" document.
3. The Owner shall submit to the City of Yuma, for recordation, a signed and notarized Avigation Easement on the property acknowledging potential noise and overflight of aircraft from both daily and special operations of the Marine Corps Air Station and the Yuma International Airport.

City Attorney Comments: (928) 373-5058:

4. The rights-of-way must be dedicated free and clear to the City, and all easements in the right-of-way must be vacated unless the easement is specifically presented to the City, and the City specifically approves its acceptance. Approval of the plat is not approval of an easement in the right-of-way.
5. Any easements on other property in the subdivision must be vacated to the extent that they would require a utility, licensed cable operator, or other licensed or franchised communications system (collectively, the "utilities") to:
 - a. pay to cross the easement to reach any structure on the lot;
 - b. prevent the utilities from providing service to any structure on a lot; or
 - c. effectively prevent any entity authorized to place facilities in a utility easement from using the easements or accessing potential customers passed by the easement.
6. Approval of the plat does not authorize the maintenance or installation of any facility in the rights of way, whether or not contemplated by the plat, without a license, franchise, or similar authorization issued by the City.

Engineering Comments: Andrew McGarvie, Engineering Manager (928)373-5000, x 3044:

7. Owner/developer shall dedicate to the City of Yuma a 1-foot non-access easement along the Yuma Mesa Conduit right of way, as well as along the Central Canal right of way.
8. Owner/developer shall dedicate to the City of Yuma a 1-foot non-access easement across all corner triangles in conformance with City of Yuma Construction Standard 2-096.
9. All exterior subdivision fencing shall be constructed of masonry. Access gates, whether vehicular or pedestrian, shall not be permitted along the exterior masonry fencing for the subdivision phase,

including fencing along 38th Street and the Avenue B½ alignment. Such fencing can be removed during the construction of pools, in order to access utility or drainage easements, or during other residential construction; however, such masonry fencing and adjacent landscaping will need to be replaced accordingly.

10. Owner/developer shall install a water-tight subdivision perimeter wall adjacent to and along the Central Canal.
11. Storm water retention basins shall be free of ground water and dry up within 5 days after a design storm in conformance with City of Yuma code §192-04(I).

Fire Department Conditions: Kayla Franklin, Fire Marshal, (928) 373-4865:

12. Must provide adequate paved primary and secondary fire department access.

Community Planning Conditions: Alyssa Linville, Assistant Director of Community Development, (928) 373-5000, ext. 3037:

13. The Owner shall submit a final plat within three (3) year of Preliminary Plat approval. Should a Final Plat not be submitted within three (3) year of the effective date of approval of the Preliminary Plat, the approval of this Preliminary Plat shall be null and void, unless the conditions are contained in an executed Pre-development Agreement.

Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.

ATTACHMENT B PRELIMINARY PLAT MAP



ATTACHMENT C
AGENCY NOTIFICATIONS

- **Legal Ad Published: The Sun** (12/18/20)
- **300' Vicinity Mailing:** (09/10/20)
- **34 Commenting/Reviewing Agencies noticed:** (09/10/20)
- **Site Posted on:** (01/04/21)
- **Neighborhood Meeting:** (N/A)
- **Hearing Date:** (01/11/21)
- **Comments due:** (09/21/20)

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	Yes	09/10/20	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	Yes	09/11/20		X	X
Yuma County Planning & Zoning	NR				
Yuma County Assessor	Yes	09/22/20	X		
Arizona Public Service	NR				
Time Warner Cable	NR				
Southwest Gas	NR				
Qwest Communications	NR				
Bureau of Land Management	NR				
YUHS District #70	NR				
Yuma Elem. School District #1	NR				
Crane School District #13	NR				
A.D.O.T.	Yes	09/14/20	X		
Yuma Irrigation District	Yes	09/11/20	X		
Arizona Fish and Game	NR				
USDA – NRCS	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Co.	NR				
Western Area Power Administration	Yes	09/16/20	X		
City of Yuma Internal List (Conditions)	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Police	NR				
Parks & Recreation	NR				
Development Engineer	NR				
Fire	Yes	09/14/20		X	
Building Safety	NR				
City Engineer	Yes	09/23/20		X	
Traffic Engineer	NR				
MCAS / C P & L Office	Yes	09/16/20			X
Utilities	NR				
Public Works	NR				
Streets	NR				

**ATTACHMENT D
AGENCY COMMENTS**

● COMMENT NO COMMENT

Enter comments below:

1. YCWUA Serial No. S-1063 (38.00 AC) & S-1443 (21.87 AC) will need to be converted.
2. Add a 1' Non-Access Easement to the north side of lots 363-377 & 431-436.
3. Please provide a full set of the engineering plans to the YCWUA for normal review and comment.

DATE: 9/11/20 NAME: Omar Peñuñuri TITLE: Sr. Eng. Tech, Lands & ROW
AGENCY: YCWUA
PHONE: 928-627-8824

☒ Condition(s)

☐ No Condition(s)

☐ Comment

Enter conditions here: Marine Corps Air Station (MCAS) Yuma has reviewed the request for APNs 196-07-004, 196-07-005, and 694-50-023. The proposed preliminary plat is located just outside the Accident Potential Zone (APZ) II for Runway 8. MCAS requests an Aviation Easement be recorded that recognizes the noise, interference or vibrations due to aviation operations that may occur at the nearby MCAS Yuma/Yuma International Airport Aviation Complex and its associated flight paths. Please send a copy of the recorded easement to MCASYUMA_CPLO@usmc.mil. Thank you for the opportunity to review and comment.

DATE: 16 Sep 2020 NAME: Antonio Martinez TITLE: Community Liaison Specialist
CITY DEPT: MCAS Yuma
PHONE: (928) 269-2103
RETURN TO: Alyssa Linville
Alyssa.Linville@YumaAZ.gov

ATTACHMENT E
AERIAL PHOTO

